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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,438	06/28/2001	Michael Bennett	324212007700	8245
20872	7590	08/02/2006	EXAMINER	
MORRISON & FOERSTER LLP 425 MARKET STREET SAN FRANCISCO, CA 94105-2482			BORLINGHAUS, JASON M	
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			3693	

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/896,438	Applicant(s) BENNETT ET AL.	
	Examiner Jason M. Borlinghaus	Art Unit 3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/1/06 has been entered.

Claim Objections

Claim 25 is objected to because of the following informalities: lack of antecedent basis. Claim 25 references "the information portal logic of Claim 20," but Claim 20 claims "computer implemented logic" and "web page logic". Claim 20 does not contain "information portal logic." Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 20 – 25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20 claims “web page logic, at the portal server, for [named function]”. However, Claim 20 does not claim that said logic is being executed by the portal server. Examiner suggests applicant incorporate claim language to the effect that said logic is being or will be implemented by the portal server rather than merely stating that said logic resides on the portal server.

Without claim language to indicate that said logic is or will be implemented by a computer device, examiner believes that Claim 20 will run afoul of §101. Without a statement defining the structural and functional interrelationships between the computer program and other claimed elements of a computer which permit a computer program’s functionality to be realized, Claim 20 will be considered a computer program and computer programs are per se not statutory. See § 2106 IV. B. 1. (a).

Furthermore, claim language “computer implemented logic, at the portal server, for [named function]” leaves it unclear whether the logic is being implemented by the portal server or whether the logic merely resides at the portal server but is actually implemented on another as yet undisclosed computer device.

Claims 21 – 25 are rejected based upon their dependency to Claim 20.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

To ensure clarity and clear understanding of examiner's rationale for application of cited prior art, terminology contained within parentheses indicates quoted language contained within said cited prior art reference while unquoted language contained within parentheses indicates the general concept as conveyed by said cited prior art reference. Such parenthetical terminology is to be interpreted as "reading on" or being "mapped to" the claim language prior to such parenthetical inclusions.

Claims 20 - 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Disclosed Prior Art (applicant's specification), Shea (Shea, Richard. *L2TP: Implementation and Operation*. Addison-Wesley Professional. Reading, MA. September 24, 1999. p. 191), Rangan (US Patent 6,594,766), Vittal (US Patent 6,907,401), Haverstock (US Patent 6,343,607), Chapman (Chapman, D. Brent & Zwicky, *Elizabeth D. Building Internet Firewalls*. O'Reilly & Associates. 1995. pp. 45 – 47) and Kyle (Kyle, Robert C. *Property Management*. Dearborn Real Estate Education. September 1, 1999. pp. 50 – 51).

Regarding Claims 20 – 25, Disclosed Prior Art discloses an information portal system comprising:

- computer implemented logic, at a portal server, for authenticating a user attempting to log onto the portal server (“authenticates the user to the portal”). (see p. 2);
- the user-specific link for enabling the user to authenticate itself with the institution server based upon user-institution authentication data , the authentication of the user with the institution server resulting in authorization of the system to receive user data from the institution. (“a path for user client to read and write authentication data to or from database, a path for user client to log onto FI server, a path for user client to retrieve user data from FI server” – see p. 3);
- computer implemented logic, at the portal server, for initiating establishment of a portal-institution interface (“the portal server connects to the financial institution server”) for enabling the portal server to authenticate itself with the institution server using authentication data (“user authentication data”), and to receive the user data if the authentication of the user with the institution server was successful. (see p. 2);
- computer implemented logic, at the portal server, for performing on the user data an action (“gets the information it needs” and “processing to format the data”) selected from a first set of actions. (see p. 2);

- wherein the in the institution is a financial institution, the user data is financial transaction data. (see pp. 2 – 3);
- further comprising the server of the institution, the server of the institution comprising logic for retaining the user ID (“user authentication data”) from the user-specific link and associating the user ID with a user account at the institution to which the user data pertains. (see p. 2);
- each of links operable to link the user with an institution at which the user maintains an account, and to provide the user an opportunity to authenticate with the respective linked institution and authorize delivery of user data at the institution the portal. (see p. 2); and
- wherein the logic is further operable to enable the user to authorize the institution server to deliver, to the portal server, user data regarding a plurality of user accounts at the institution, the authorization for each account based on user-institution authentication data corresponding to that account. (see p. 2).

Disclosed Prior Art does not teach the underlined claim limitations - information portal system comprising:

- web page logic, at the portal server, for presenting to the user a user-specific link to an institution server, the user-specific link for enabling the user to authenticate itself with the institution server based upon user-institution authentication data, the authentication of the user with the

institution server resulting in authorization of the portal system to receive user data from the institution; and

- computer implemented logic, at the portal server, for initiating establishment of a portal-institution interface for enabling the portal server to authenticate itself with the institution server using portal authentication data, and to receive the user data if the authentication of the user with the institution server was successful.
- wherein the actions performed on the user data by the portal are actions selected from a second set of actions that is a subset of the first set of actions;
- wherein the first set of actions includes conducting a financial transaction and the second set of actions includes viewing user data but the second does not include conducting financial transactions;
- further comprising the server of the institution, the server of the institution comprising logic for retaining the user portal ID from the user-specific link and associating the user portal ID with a user account at the institution to which the user data pertains;
- wherein the user-specific link is one of a plurality of user-specific links is one of a plurality of user-specific links, each of the plurality of user-specific links operable to link the user with an institution at which the user maintains an account, and to provide the user an opportunity to

authenticate with the respective linked institution and authorize delivery of user data at the institution the portal;

- wherein the user-specific link presented to the user by the web page logic is further operable to enable the user to authorize the institution server to deliver, to the portal server, user data regarding a plurality of user accounts at the institution, the authorization for each account based on user-institution authentication data corresponding to that account.

Utilization of web page logic, at a portal server, for presentation to the user of a user-specific link and/or a plurality of user-specific links to other servers is old and well known in the art of information technology, as evidenced by Rangan which states that the portal presents a “personalized page having listed plural Internet destinations enabled by hyperlinks” (see abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art to present the user with a personalized link and/or links to other servers, as disclosed by Rangan, as personalized presentation of information would allow for the filtering out of irrelevant and/or unwanted information.

Authentication of an entity, person and/or device, at the time of connection to a system and prior to providing access to resources of said system is old and well known in the art of computer security, as evidenced by Shea which states “Connection authentication refers to the act of authenticating an entity when a connection is first made.” It would have been obvious at the time the invention was made to have modified Disclosed Prior Art and Rangan to incorporate the ability for the institution to

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authenticate a connecting entity, as disclosed by Shea, in general, and by Disclosed Prior Art, utilizing user authentication data, to ensure said connecting entity, regardless of its nature, has valid authorization to access said system.

The ability for an online information source to authorize portal servers ("online aggregators") access, to utilize portal authentication data ("a trusted URL" or "partner certificate") to allow a portal server access and to control the data and/or transactions ("allowing the [information source] to set the portal switch to specify transfer parameters, services and data") transmitted to the portal server were known at the time of the invention as evidenced by Vittal. (see abstract; col. 6, lines 37 – 50; col. 10, lines 63 – col. 12, line 54). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Rangan and Shea to incorporate the ability of servers to authorize and authenticate portal servers, as well as control the access privileges of portal servers, to provide security to information access and/or transmission.

Providing different users of a system with different levels of access and allowing them different subsets of actions on the system, such as through a least privilege designation or through role-based security, is old and well known in the art of computer and network security, as evidenced by Haverstock which discloses a web-based server utilizing a role-based security system, stating "The system also provides role-based, multi-level security module 40 for controlling access to objects within the system. The system enables an authorized individual to assign users a defined role. Each role may have various privileges based on the priority level of the role. Priority levels may

comprise a read only privilege, read and edit privileges, read public information only privileges, etc.” (see col. 5, lines 56 – 62).

Furthermore, Chapman discloses the use of least privilege designations for network security purposes, stating “Basically, the principle of least privilege means that any object (user, administrator, program, system, whatever) should have only the privileges the object needs to perform its assigned tasks – and no more...In the Internet context, the examples are endless. Every user probably doesn't need to access every Internet service. Every user probably doesn't need to modify (or even read) every file on your system...Applying the principle of least privilege suggests that you should explore ways to reduce the privileges required for various operations.” (see p. 45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Rangan, Shea and Vittal by incorporating commonly known security measures, such as the least privilege principle, role-based security or access control lists, as disclosed by Haverstock and Chapman, to limit the portal server's actions on the institution server to a subset of the total actions that the user, him/herself, could employ on the institution server, as the portal server would be deemed a non-trusted third party and not the user, him/herself.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Shea, Ragan, Vittal, Haverstock and Chapman to have limited the portal server, in the role of non-trusted third party, to access and retrieve user information, the least privilege required as an information portal, and not allowing the portal server to act or authorize transactions

based upon that user information, as such activities would be outside its scope as an information portal.

Additionally, the concept of a special agent or an agent with a limited scope of authority, and the appointment of such an agent, is old and well known in the art of agency law and business management, as evidenced by Kyle (see pp. 50 – 51). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Shea, Ragan, Vittal, Haverstock and Chapman to have limited the portal server, in its appointed role as a special agent to the user, to the functions that were within the scope of its authority as the user's agent, such as permitting the portal server to access and retrieve user information, and not allowing the portal server to act or authorize transactions based upon that user information, as such activities would be outside its scope as a special agent.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified access privileges for the portal server to allow for any access privileges that the inventor desired, such as limited portal server access to certain account information and/or documents, and/or performance of certain actions.

In re Kuhle, 526 F.2d 553, 555, 188 USPQ 7, 9 (CCPA 1975).

Regarding Claims 26 – 29, Claims 26 - 29 recite similar limitations and/or would have been obvious based upon Claims 20 - 25 rejected above, and are therefore rejected using the same art and rationale as applied in the rejection of Claims 20 - 25.

Regarding Claim 30, Disclosed Prior Art does not teach underlined claim limitation – a computer product program:

- wherein the program code is further operable to revoke authorization of the portal to receive the user data.

Vittal discloses a computer product program:

- wherein the program code (program code “disabling the switch”) is further operable to revoke authorization of the portal to receive the user data (“a desire to be excluded from...the aggregator”). (see abstract).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Disclosed Prior Art, Shea, Ragan, Vittal, Haverstock, Chapman and Kyle to incorporate the ability to revoke authorization for a portal to access information, as disclosed by Vittal, as when an agency relationship is terminated and/or an entity’s status as an appointed agent is revoked, to prevent further access to the dismissed agent to the user’s information.

Regarding Claims 31 - 35, Claims 31 - 35 recite similar limitations and/or would have been obvious based upon Claims 20 - 30 rejected above, and are therefore rejected using the same art and rationale as applied in the rejection of Claims 20 - 30. Differing claim limitations of Claim 32, such as batch processing, are old and well known in the art of information technology. It would have been obvious to one of ordinary skill in the art to have modified Disclosed Prior Art, Shea, Ragan, Vittal, Haverstock, Chapman and Kyle by incorporating batch processing of information,

Response to Arguments


Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Borlinghaus whose telephone number is (571) 272-6924. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


ELLA COLBERT
PRIMARY EXAMINER